

3-31-03

2874



TRANSMITTAL FORM

(for all correspondence after initial filing)

Agent's Docket No. **ONX-118**

Application Number

09/915,232

Filing Date

JULY 24, 2001

First Named Inventor

CHUANG-CHIA LIN

Group Art Unit

2874

Examiner

JERRY T. RAHL

ENCLOSURES (check all that apply)

☒ Return Receipt Postcard (MPEP 503)☐ Fee Transmittal Form☐ Fee Attached☐ Response/Amendment☐ Preliminary Amendment☐ with amended drawing☐ After Final Rejection☐ After Allowance communication to Group☐ with Corrected Drawing(s) Total Sheets: ☐☐ with Affidavits/Declarations☐ Extension of Time Request☐ Express Abandonment Request☐ Data Correction Request☐ Notice of Allowance and Issue Fee(s) Due

(PTOL-85) Including Part B - Fee Transmittal

☒ Applicant Claims Small Entity Status☐ Declaration by Inventors☐ Assignment papers☐ Power of Attorney by Assignee☐ with CFR 3.73(b) statement☒ IDS/PTO-1449☒ with copies of cited references☐ New Power of Attorney and Revocation of Old☐ Change of Correspondence Address

SIGNATURE OF AGENT

NAME **JOSHUA D. ISENBERG, REG. NO. 41,088**

Signature

Date

*Joshua D. Isenberg**March 27, 2003*

Certificate of Mailing by "Express Mail"

I hereby certify that I am mailing this correspondence on the date indicated below to the ASSISTANT COMMISSIONER FOR PATENTS, GROUP ART UNIT 2874, P.O. BOX 2327 ARLINGTON, VA 22202 using the "Express Mail Post Office to Addressee" service of the United States Postal Service under 37 CFR 1.10.

*Bing Li*DATE OF MAILING: *3/27/2003*

SIGNATURE

Bing Li

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In the United States Patent and Trademark Office

App. No.: 09/915,232
Filed: July 24, 2001
Title: MEMS Element Having Perpendicular Portion Formed From Substrate
Applicant: Chuang-Chia Lin
Examiner: Jerry T. Rahll
Art Unit: 2874

#8

Mailed 3/27/2003
Fremont, CA

Information Disclosure Statement

Commissioner of Patents and Trademarks
Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon. It is requested that the document(s) on the enclosed form be made of record. As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

It is requested that the document(s) on the enclosed form be made of record.

Part I (Authority)

This statement is filed pursuant to:

(X) 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

() 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$180), or a certification according to 37 C.F.R. § 1.97(e).

() 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180) and a certification according to 37 C.F.R. § 1.97(e).

Conditional Petition

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

Part II (Payment)

A check is enclosed as indicated:

- ☒ (X) No fee is due.
- ☐ () The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$180).
- ☐ () The petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$180).

Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- ☒ (X) No certification is necessary.
- ☐ ()
 - (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
 - ☐ () The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
 - ☐ () The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- ☐ ()
 - (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

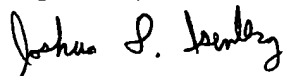
Part IV (Additional Statement)

An additional statement regarding these items of information () is, (X) is not, enclosed.

Copies of the cited art (X) are enclosed, () are of record in parent application Serial No. _____ and will be provided if the Examiner deems it convenient.

Dated: March 27, 2003

Respectfully submitted,



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